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Dockets Facility
U. S. Department of Transportation
Room PL-401
400 Seventh Street, SW
Washington, DC 20590-0001

DEPT. OF TRANSPORTATION
DOCKETS
99 DEC -6 PM 3:49

Dear Sirs;

Re: [Docket No. ⁴RSPA-99-6355; Notice 1]
Pipeline Safety: Enhanced Safety and Environmental Protection for Gas
Transmission and Hazardous Liquid Pipelines in High Consequence Areas

OPS' "*envisioned process*" to place greater emphasis on pipeline regulations in so called "*high consequence*" areas should be further considered only with considerable caution and apprehension. The noble end may not justify the prescribed means as detailed in the Notice 1.

Current pipeline safety regulations have enjoyed considerable success in no small part due to their objective nature, *ie.*, it is relatively easy for a pipeline operator and-or federal or state inspector to determine if a pipeline operator is or is not in compliance with current regulations. Whereas, regulations with a very subjective nature, such as envisioned and proposed by OPS, are prone to place a pipeline operator in a position of confusion and bewilderment as to whether-or-not activities intended to comply with regulations will be considered subjectively adequate by an inspector.

Our Constitution and system of justice has had as one of its fundamental precepts the idea that one is innocent until proven guilty, *ie.*, a precept that requires knowledge of laws, and laws which are objective in nature such that anyone should be able to know without doubt the requirements thereof.

Subjective regulations create a situation of guilt until proven innocent by the subjective judgement of a regulatory inspector, a temporary reprieve which may be reversed by the next inspector.

Yours truly,

Foy Milton, P.E.